

**CITY OF EL PASO, TEXAS  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction: May 3, 2005  
Public Hearing: May 24, 2005

**CONTACT PERSON/PHONE:** Christina Valles, 541-4930

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance granting Special Permit No. ZON05-00011, To allow for a parking reduction on the property described as the East 15 ½ feet of Lot 20 and the West 19 feet of Lot 21, Block 32 Franklin Heights Addition, El Paso, El Paso County, Texas, pursuant to section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

**\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\***

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00011, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS THE EAST 15 ½ FEET OF LOT 20 AND THE WEST 19 FEET OF LOT 21, BLOCK 32 FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**WHEREAS, Elizabeth Valenzuela** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

**WHEREAS,** the requirements of Section 20.64.175 have been satisfied; and

**WHEREAS,** a report was made by the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS,** the City Plan Commission has recommended approval of the subject Special Permit; and

**WHEREAS,** the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the property described as follows is in the A-3/H (Apartment/Historic) District, requiring ten (10) off-street parking spaces to serve proposed apartments;

*The East 15 ½ feet of Lot 20 and the West 19 feet of Lot 21, Block 32, Franklin Heights Addition, El Paso, El Paso County, Texas; and*

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 85%, so that the property, required to provide ten (10) off-street parking spaces, can satisfy the parking requirements by providing three (3) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the A-3/H (Apartment/Historic) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00011**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.


**THE CITY OF EL PASO**

**ATTEST:**


\_\_\_\_\_  
Joe Wardy, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

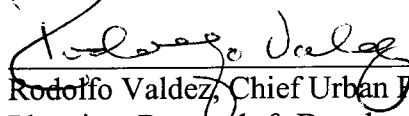
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Matt Watson, Assistant City Attorney  
Doc No. 11367

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Christina Valles, Planner II  
Planning, Research & Development  
Department

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development  
Department

## AGREEMENT

**Elizabeth Valenzuela**, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the A-3/H (Apartment/Historic) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 19<sup>th</sup> day of April, 2005.

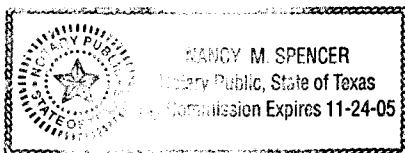
Elizabeth D. Valenzuela  
Elizabeth Valenzuela

## ACKNOWLEDGMENT

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument is acknowledged before me on this 19<sup>th</sup> day of April, 2005, by Elizabeth D. Valenzuela as Applicant.

My Commission Expires:



Nancy M. Spencer  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Nancy M. Spencer

Prepared For: Wright and Dalbin Architects  
Being the East 15.5 feet of Lot 20 and the West 19 feet of Lot 21,  
Block 32, Franklin Heights  
City of El Paso, El Paso County, Texas  
WO: 030905-8  
Date: April 7, 2005

**PROPERTY DESCRIPTION**  
(1305 Magoffin Avenue)

Description of a 0.1695 acre parcel of land being the East 15.5 feet of Lot 20 and the West 19 feet of Lot 21, Block 32, Franklin Heights, City of El Paso, El Paso County, Texas, being more particularly described by metes and bounds as follows:

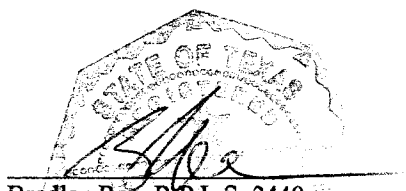
Beginning at a City Monument located 10 feet North of the center line intersection of Myrtle Avenue and Brown Street; Thence, along the center line of Brown Street, South  $37^{\circ} 06' 00''$  East a distance of 264.00 feet; Thence, leaving said center line, North  $52^{\circ} 54' 00''$  East a distance of 119.50 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449 and the "True Point of Beginning";

Thence, North  $52^{\circ} 54' 00''$  East a distance of 34.50 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449 and a point for corner;

Thence, South  $37^{\circ} 06' 00''$  East a distance of 216.94 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449 lying on the Northerly Right of Way line of Magoffin Avenue;

Thence, along said Northerly Right of Way line, South  $62^{\circ} 36' 53''$  West a distance of 35.00 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449, and a point for corner;

Thence, leaving said Northerly Right of Way line, North  $37^{\circ} 06' 00''$  West a distance of 211.04 feet back to the "True Point of Beginning" of said parcel and containing in all 7,382.64 square feet or 0.1695 acres of land more or less.



Bradley Roe, R.P.L.S. 2449  
Roe Engineering, L.C.  
(Survey Plat accompanies this Property Description)

**MAYOR**  
JOE WARDY

JOYCE WILSON  
CITY MANAGER

GEORGE G. SARMIENTO, AICP  
DIRECTOR



**PLANNING, RESEARCH &  
DEVELOPMENT DEPARTMENT**

April 20, 2005

***CITY COUNCIL***

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

PRESI ORTEGA, JR.  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Christina Valles, Planner II

**SUBJECT:** ZON05-00011

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The City Plan Commission (CPC), on March 24, 2005, voted **7 - 0** to recommend **APPROVAL** of this special permit request for parking reduction, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request.

**Attachment:** Location Map

## **STAFF REPORT**

**Special Use Permit #:** ZON05-00011

**Property Owner(s):** Elizabeth Valenzuela

**Applicant(s):** Elizabeth Valenzuela

**Representative(s):** Wright & Dalbin Architects

**Legal Description:** The East 15 1/2 feet of Lot 20 and the West 19 Feet of Lot 21, Block 32, Franklin Heights Addition

**Location:** 1305 Magoffin

**Representative District:** # 8

**Area:** 0.1643 Acres (ZON05-00011 Square Feet)

**Zoning:** A-3H (Apartment/Historic)

**Existing Use:** Multi-family housing

**Proposed Use:** Reduction of Parking:  
**Spaces Required:** 10  
**Spaces Provided:** 3  
**Number and % Reduced:** 7 (70%)

**Recognized Neighborhood Associations Contacted:** El Paso Central Business Association,  
Magoffin Neighborhood Association

**Surrounding Land Uses:**

<b>North -</b>	C-4 (Commercial) / multi-family residential;
<b>South -</b>	A-3/H (Apartment/historic)/single-family residential C-4/H (Commercial/historic/single-family residential
<b>East -</b>	A-3/H (Apartment/historic)/multi-family residential
<b>West-</b>	A-3/H (Apartment/historic)/single-family residential

**Year 2025 Designation:** Residential (Central Planning Area)

**CITY PLAN COMMISSION HEARING, March 24, 2005  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**Special Use Permit: ZON05-00011**

**General Information:**

The applicant is requesting a special permit to allow for a parking reduction which will serve proposed multi-family housing. The property is currently zoned A-3/H (Apartment/Historic). The site is currently multi-family housing and is 0.1643 acres in size. The proposed site plan shows two buildings to be remodeled on the site. Access is proposed via the service alley; three (3) parking spaces are provided. There are no zoning conditions currently imposed on this property.

**Information to the Commission:**

The Planning Department has received no calls or letters in support or opposition to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends approval of this special permit request.

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

**The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for residential land uses.

A-3H (Apartment/Historic) zoning permits Parking Reduction by special permit.

The Commission must determine the following:

Will the special permit for Parking Reduction protect the best interest, health, safety and welfare of the public in general?



**Information To The Applicant:**

Building Permits and Inspections Department Notes:

20.65 (landscaping) does not apply to this project.

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed parking reduction.

Fire Department Notes:

Special Use Permit for a parking reduction does not adversely affect the Fire Department.

Note: Fire Department recommends that the applicant coordinate improvement plans with the Fire Department Plan Review Section.

El Paso Water Utilities Notes:

No objections.

Sun Metro Notes:

Routes 4, 21, 22, and 62 service this area.

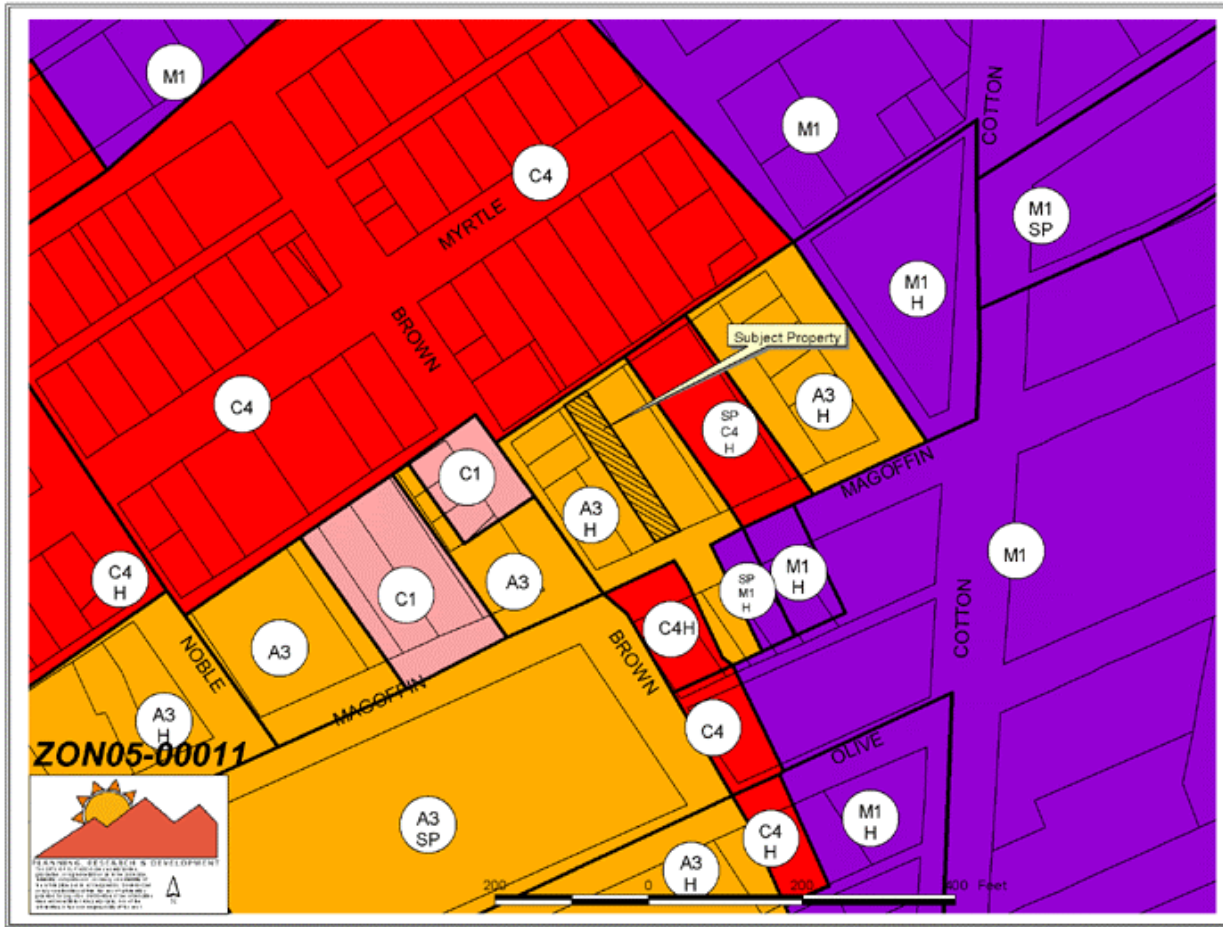
Planning, Research & Development Department Notes:

Recommend approval of this special permit request for a reduction of parking.

**ATTACHMENT:** Site Plan.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

## LOCATION MAP

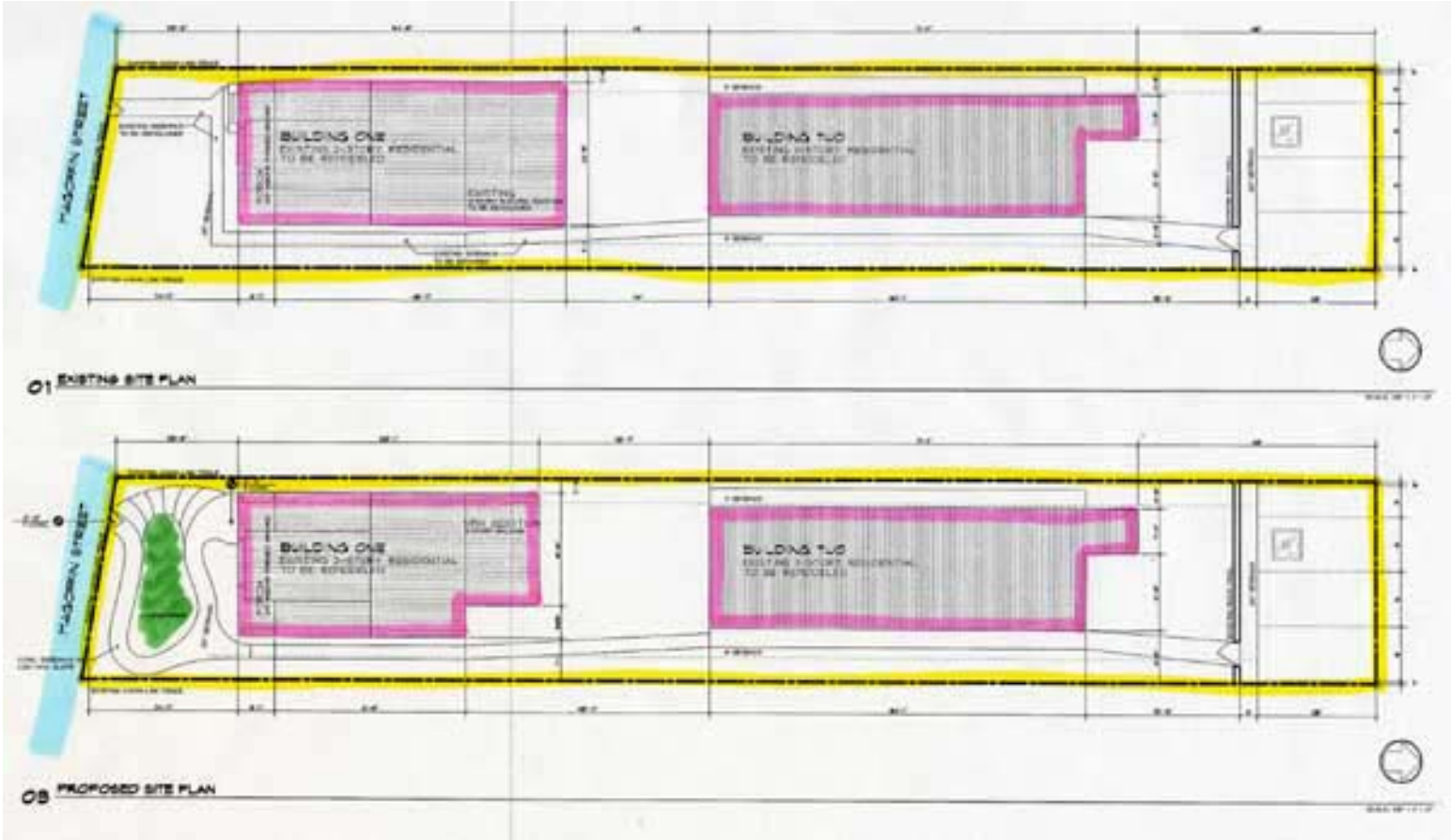


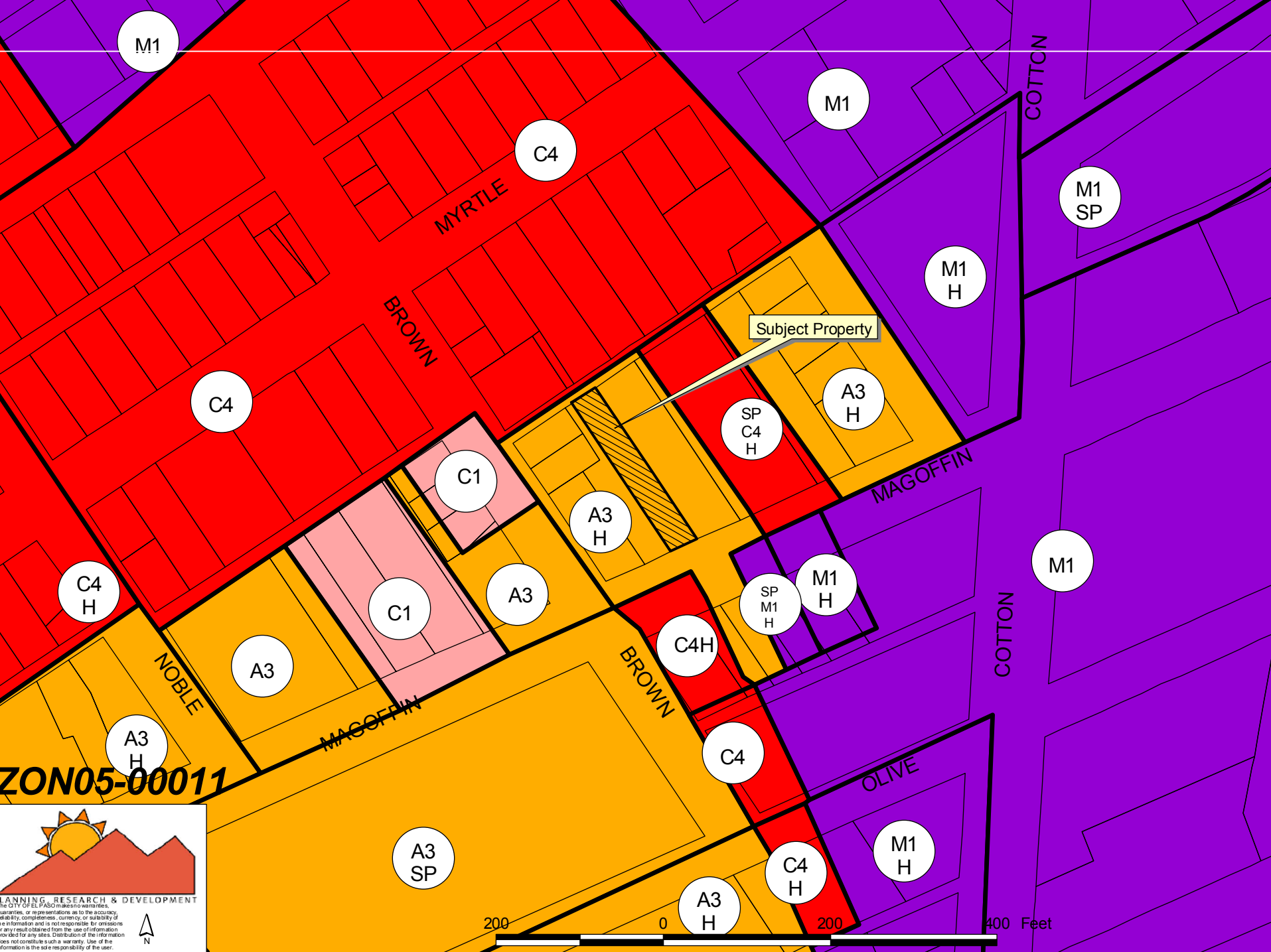
# AERIAL MAP





**GENERALIZED PLOT PLAN**





M1

C4

M1

M1  
SP

M1  
H

Subject Property

C4

A3  
H

SP  
C4  
H

C1

A3  
H

MAGOFFIN

C4  
H

C1

A3

SP  
M1  
H

M1  
H

M1

C4H

NOBLE

A3

BROWN

A3  
H

ZON05-00011

C4

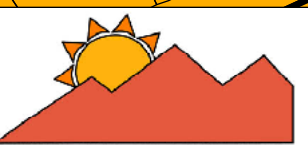
OLIVE

A3  
SP

M1  
H

A3  
H

C4  
H



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200

0

200


400 Feet






Subject Property

ZON05-00011

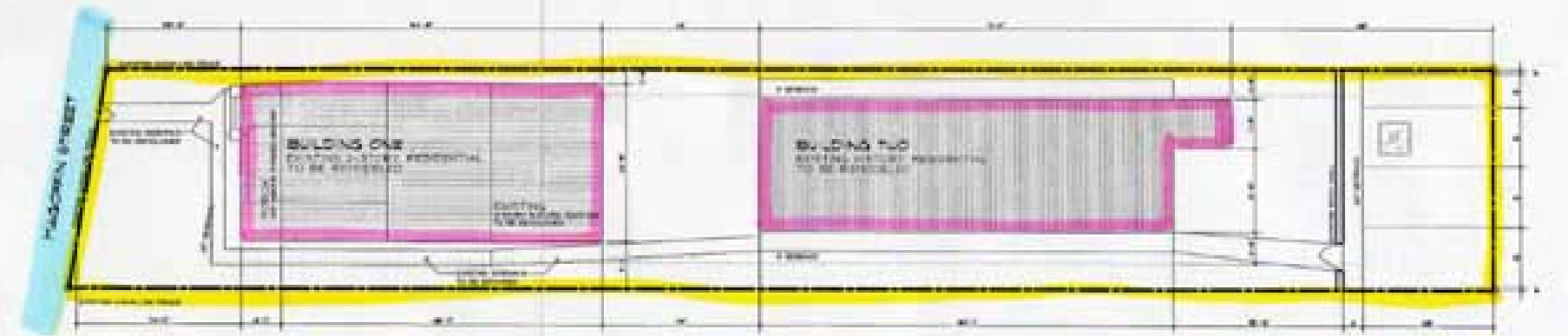


PLANNING, RESEARCH & DEVELOPMENT

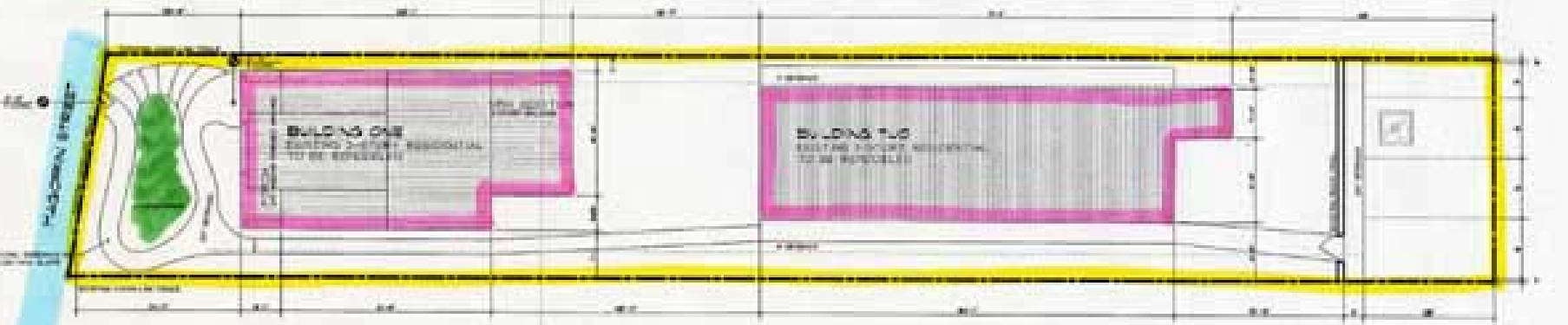
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200 0 200 400 Feet



01 EXISTING SITE PLAN



02 PROPOSED SITE PLAN



**ZON05-00011**





**ZON05-00011**



**ZON05-00011**





**ZON05-00011**







**ZON05-00011**

